

Borden Ladner Gervais LLP Lawyers - Patent & Trade-mark Agents World Exchange Plaza 100 Queen Street, Suite 1100 Ottawa ON K1P 1J9

tel.: (613) 237-5160 fax: (613) 787-3558 toll free: (800) 661-4237

ipinfo@blgcanada.com www.blgcanada.com

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703-305-3597

Date: March 24, 2003

**FAX NUMBER:** 

Leslie Anne Kınsman Registration No. 45,291

TO THE ATTENTION OF: ANDERSON, Gerald A.

COMPANY: United States Patent and Trademark Office

CITY: Washington, DC

DATE / TIME: March 24, 2003

FROM: Leslie Anne Kinsman

DIRECT DIAL: (613) 787-3519

OUR FAX NUMBER: (613) 787-3558

RE: United States Patent Appln No. 09/982,856

Title: DROP-BIN CONTAINERS AND HOLDERS FOR SAME

Inventor(s): Kailash C. Vasudeva

Owner: Maxtech Manufacturing Inc.

Our File: PAT 51400B-2 US

NUMBER OF PAGES, INCLUDING THIS PAGE: 7

CONFIRMATION TO FOLLOW: NONE

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APR 2 3 2004

Page 1 of 2

Application No. 09/982,656
Pention dated. April 23, 2004
Response to Decision to Dismiss the Pention dated March 18, 2004

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Trademark Office 703-872-9306 on the date shown below.

Date. April 23, 2004

L. Anne Kinsman Registration No. 45,291

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application of:

VASUDEVA, Kailash C.

Serial No.:

09/982,856

Filed:

October 22, 2001

Title:

DROP-BIN CONTAINERS AND HOLDERS FOR SAME

Group.

3637

Examiner:

ANDERSON, Gerald A.

Attorney Ref..

PAT 51400B-2

Customer No.:

26123

April 23, 2004

Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450 U.S.A.

Attention: Mail Stop Petitions

## PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181

#### Dear Sirs:

This is in response to the Decision to Dismiss the Petition to Withdraw the Holding of Abandonment under 37 CFR 1.181 mailed March 18, 2004. Applicant requests reconsideration of the Petition to Withdraw the Holding of Abandonment.

This application was held abandoned for failure to have timely filed a proper response to the Office Action dated December 23, 2002, and a Notice of Abandonment was mailed on October 2, 2003.

As agent of record on this application, and as the person who originally signed the response to the Office Action of December 23, 2002, I have personal knowledge of the facts and statements set out below.

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Application No 09/982,856 Pention dated, April 23, 2004 Response to Decision to Dismiss the Petition dated March 18, 2004

FROM-BORDEN LADNER GERVAIS LLP

A response to the Office Action of December 23, 2002 was timely filed by facsimile transmission to facsimile number 703-305-3597 on March 24, 2003. I enclose a copy of the previously transmitted response to the Office Action. The response includes a certificate of facsimile transmission bearing my signature, and to which I have personal knowledge of having signed on the date indicated. I also enclose a copy of the facsimile cover page, similarly bearing a certificate of facsimile transmission including my signature, to which I have personal knowledge having signed on March 24, 2003



I further attest that I have personal knowledge that the response was, in fact transmitted by facsimile on March 24, 2003. In support of this statement, I enclose a copy of our transmission confirmation report, confirming that the facsimile cover page and six page response, totalling seven pages, were, in fact, transmitted to facsimile number 703-305-3597 on March 24, 2003 at 14:51 EST. The transmission report confirms that the seven pages were received by the U.S. Patent Office at connection ID TC 3600 USPTO.

It is submitted that this Petition is proper, and sets out in full the information required under 37 CFR 1.8(b)(3). Accordingly, it is requested that the Holding of Abandonment be withdrawn, and the application returned to the Examiner for prosecution.

It is further submitted that this Petition requires no fee. However, if a fee is required, the Commissioner is authorized to debit deposit account number 501593, or to credit any overpayment thereto.

BORDEN LADNER GERVAIS, LLP World Exchange Plaza 100 Queen Street, Suite 1100 Ottawa ON K1P 1J9 Canada Telephone 613-787-3519 e-mail. akinsman@blgcanada.com

Encls.

1. Office Action Response dated March 24, 2003

2. Facsimile Transmission Report dated March 24, 2003

Respectfully submitted, VASUDEVA, Kailash C.

Registration No. 45,291